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OFFICE OF PETITIONS

In re Application of	:	
John I. M. Choate	:	
Application No. 10/780,476	:	DECISION ON PETITION
Filing Date: February 16, 2004	:	UNDER 37 C.F.R. § 1.183
Title: APPARATUS THAT IMPROVES	:	
DISCOVERY OF CANCER MASS, AND	:	
REDUCES INFLAMMATION - ONSET OF	:	
SYMPTOMS OF CARPAL TUNNEL	:	
SYNDROME OR ARTHRITIS - TACTILE	:	
DEFICIT OF FINGERS, AND	:	
INCREASES DISCOVERY OF FOREIGN	:	
MASS IN BREAST AND OTHER SELF	:	
EXAMINATIONS	:	

Background

This is a decision on the petition filed on April 16, 2007, which is properly treated as a petition pursuant to 37 C.F.R. § 1.183. Petitioner has requested the waiver of Rules §§ 1.134 and 1.135, which requires applicants to respond within a specific time period, and permits extensions of time if so required.

The Change of Address has been entered and made of record.

Petition fee requirement

The fee for filing a petition pursuant to this section of the C.F.R. is set forth in 37 C.F.R. § 1.17(f) as being \$400, with no reduction for small entity status. Petitioner has submitted \$100

with this petition, and the petition does not appear to contain a general authorization to charge any deficient fees to a Deposit Account.

The payment of the required petition fee is a prerequisite to the filing of a petition to revive under 37 C.F.R. §1.183. Therefore, consideration of the merits of the petition before receipt of the filing fee would be premature.

It follows that this petition must be **DISMISSED**.

Conclusion

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition Under 37 C.F.R. 1.183." This is not a final agency action within the meaning of 5 U.S.C 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail¹, hand-delivery², or facsimile³. Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web⁴. If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

¹ Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

² Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

³ (571) 273-8300- please note this is a central facsimile number.

⁴ <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>